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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 DAVID DAVIS, et al.,

No. C-07-03365 EDL

11 Plaintiffs,

**ORDER GRANTING IN PART
PLAINTIFFS' MOTION TO COMPEL**

12 v.

13 CLEARLAKE POLICE DEPT.,

14 Defendant.
15 _____/

16 On January 22, 2008, Plaintiffs, who are pro se, filed a motion to compel production of
17 documents and for discovery to begin. Defendants opposed the motion on the ground that it was
18 premature because the parties had not met and conferred as required by Federal Rule of Civil
19 Procedure 26(f), and had not served initial disclosures, although they were supposed to be served by
20 December 31, 2007. On March 4, 2008, the Court held a hearing on Plaintiffs' motion.

21 At the hearing, Defendants' counsel represented that Defendants had recently sent their
22 initial disclosures to Plaintiffs. Therefore, there is no impediment to the commencement of
23 discovery.

24 With respect to Plaintiffs' discovery requests for police personnel and related records,
25 Plaintiffs stated at the hearing that they are particularly interested in receiving: (1) information
26 showing that the officers' certifications to act as law enforcement officers are up to date; and (2)
27 complaints or reports of complaints, whether determined to be unfounded or not, relating to
28 harassment, racial profiling or other similar conduct within the last five years with respect to the
officers at issue. As discussed at the hearing, Defendants' counsel shall review the relevant

1 personnel and/or complaint/internal affairs files for responsive material, including but not limited to
2 certifications and complaints sought by Plaintiffs, and shall provide a written response to Plaintiffs'
3 discovery no later than March 11, 2008. No later than March 25, 2008, Defendants shall produce
4 discoverable material and provide Plaintiffs with a privilege log describing the documents that have
5 been withheld. The parties shall then meet and confer regarding the withheld documents and if a
6 dispute remains regarding production of those documents, the parties shall file a joint letter
7 concisely setting forth their positions on whether the withheld documents should be released and
8 shall lodge a limited number of disputed documents for the Court's in camera review.

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10 **IT IS SO ORDERED.**

11 Dated: March 6, 2008

Elizabeth D. Laporte

ELIZABETH D. LAPORTE
United States Magistrate Judge